

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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TECHNICAL STAFF REPORT

Village of Wilde Lake – Village Center Redevelopment

Planning Board Hearing of December 6, 2012

PB 397 Case No.:

Owner and Petitioner: Wilde Lake Business Trust, c/o Kimco Realty Corporation

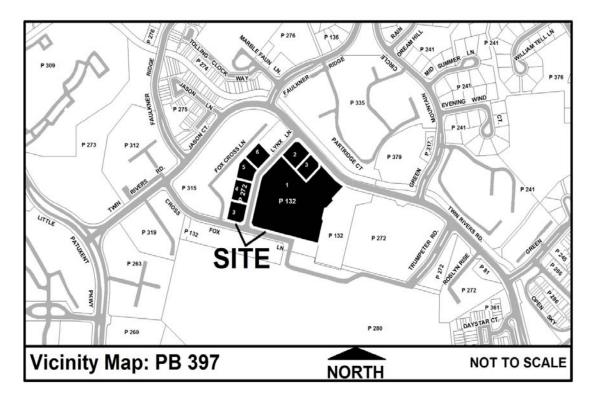
SP-13-001, Resubdivision of Village of Wilde Lake, Major Village Center Redevelopment Subject:

Request:

For Planning Board approval of a Preliminary Equivalent/Comprehensive Sketch Plan (CSP), SP-13-001, for Major Village Center Redevelopment which will consist of 250 residential units within a residential/retail building and 5 new or redesigned mixed use commercial buildings which will total approximately 90,000 net square feet of commercial redevelopment, and upgraded parking, landscaping and stormwater management on that land zoned "New Town -Employment Center Land Use- Village Center Commercial" and in accordance with the Amendment to the Preliminary Development Plan as approved under Zoning Board Case

Number 1096M.

Recommendation: The Department of Planning and Zoning recommends approval of SP-13-001, Preliminary Equivalent/Comprehensive Sketch Plan for the Village of Wilde Lake Major Village Center Redevelopment, subject to adequately addressing all remaining technical comments provided by the Subdivision Review Committee dated September 28, 2012 and October 29, 2012.



Location:

The subject property is a 10.21 acre site (with a limit of disturbance of 11.95 acres), located on the south side of Twin River Road and the north side of Cross Fox Lane, on the east and west side of Lynx Lane, also known as the Village of Wilde Lake Village Center. The property is identified as Tax Map 29, Grid 24, Parcel 272, Lots 3-6 and Parcel 132, Lots 1-3.

Vicinal Properties:

North: The site is bounded to the north by Twin Rivers Road. On the opposite side of Twin Rivers Road are apartments.

<u>South:</u> The south side of the site is bounded by Cross Fox Lane. On the opposite side of Cross Fox Lane is a Columbia Association outdoor tennis facility with 11 courts and a small support building.

<u>East:</u> The site is adjacent on the east to several Columbia Association facilities, including the Wilde Lake Interfaith Center, Slayton House, the Wilde Lake Courtyard, and the Wilde Lake indoor swim facility.

<u>West:</u> The site is adjacent on the west to apartments. Please note the fast food restaurant on the northwest corner of Twin Rivers Road and Lynx Lane is NOT part of this Petition for Major Village Center Redevelopment.

I. General Comments

A. Relevant Site History

- 1. <u>Site Features</u>: The subject property is currently improved as a retail center with substantial surface parking known of the Village of Wilde Lake Village Center. The site was developed with a grocery store building, which will be demolished as part of this plan, a retail/office buildings overlooking the adjoining Courtyard, a gas station (to be demolished), a bank drive-thru building (to be demolished), and two additional retail/office buildings on the opposite (west) side of Lynx Lane, which will also be demolished as part of the redevelopment. There are no environmental features, historical, or cultural features on site. The Courtyard Buildings A and B will not be demolished and the Courtyard will remain intact.
- 2. Previously approved plans include ECP-13-003, ZB 1096M, SDP-94-045, SDP-93-087, SDP-87-011, SDP-85-204, SDP-72-083, SDP72-064, SDP-70-074, FDP Phase 39, and FDP Phase 2.
- A Major Village Center Redevelopment Plan for the existing Wilde Lake Village Center and associated amendment to the Preliminary Development Plan was approved on July 9, 2012 as part of Zoning Board Case No. 1096M, as outlined in the associated Decision and Order.
- 4. As part of Zoning Board Case No. 1096M, two <u>Pre-submission Community Meetings</u> were held on June 4, 2010 and December 17, 2010 in accordance with Section 125.J.3a of the Zoning Regulations and Section 16.128 of the Subdivision and Land Development Regulations.
- As part of Zoning Board Case No. 1096M, the <u>Design Advisory Panel</u> (DAP) reviewed the proposal October 27, 2010 in accordance with Section 125.J.3.a of the Zoning Regulations and Title 16, Subtitle 15 of the County Code.
- 6. The Comprehensive Sketch Plan consists of 10.21 acres (11.95 acre limit of disturbance) and, in accordance with the amended Preliminary Development Plan, proposes 250 apartment units (275,431 sf of residential floor area) and a net floor area of 90,000 sf of commercial development including 41,013 sf of retail, 20,200 sf of restaurant (including 8,200 sf of fast food), and 29,779 sf of office (including 10,000 sf of medical/dental office and 19,779 of general office).

B. Legal Notices --

- The subject site was properly posted with four (4) official Planning Board hearing notices. These signs were posted beginning on November 2, 2012, as verified by County staff.
- Legal advertisements for this case appeared in *The Howard County Times* and the *Columbia Flier* on November 1, 2012.

- **C.** Regulatory Compliance The Project is subject to the following requirements:
 - (1) The Howard County General Plan.
 - (2) The Zoning Regulations, including Section 125.J. Section 125.C. and Section 125.F.
 - (3) The Adequate Public Facilities Act.
 - (4) The Howard County Design Manual.
 - (5) Amended Fifth Edition of the Howard County Subdivision and Land Development Regulations.
 - (6) The Landscape Manual.
- **D.** Sketch Plan Purpose: Per Section 103.A.183 of the Zoning Regulations, a sketch plan indicates the developer's general objectives and lay-out for development of the land. The basic role of the sketch plan is to allow the County to provide the developer with important information that may affect the project and to ensure the plan complies with zoning regulations and incorporates good planning and development principles. Per Section 125.C.3 of the Zoning Regulations, a Comprehensive Sketch Plan shall set forth:
 - a. The approximate boundaries and approximate acreage for each of the proposed land uses in sufficient detail to graphically illustrate the application of the adopted master final development plan criteria to the area encompassed by the Comprehensive Sketch Plan.
 - b. The location of all existing and proposed public streets, roads and utilities.
 - c. The location of open space within which recreational, school, park and other public community uses are permitted.
 - d. Text material (criteria) regulating the following:
 - (1) The general locations for all structures.
 - (2) The permitted "general use" or specific use" as hereinafter defined, for each land use area, except that no uses shall be specified which are permitted only in R-MH or M-2 Districts.
 - (3) Height limitations, parking requirements, front, side and rear yard areas, setback provisions, minimum lot sizes and coverage requirements, stated generally and/or specifically with respect to particular improvements or types of improvements.
- **E. Planning Board Role**: In accordance with Section 125.C.6. of the Howard County Zoning Regulations, the Planning Board is to review the material submitted as part of the Comprehensive Sketch Plan in light of the General Plan, and after carefully considering public agency comments, petitioner's testimony, public hearing testimony, and the criteria outlined in Section 125.C.5, shall:
 - Approve the plan as submitted by the Petitioner,
 - Approve the plan as changed by the Planning Board; or
 - Reject the Comprehensive Sketch Plan in its entirety.

The Planning Board shall not unreasonably disapprove or change a proposed Comprehensive Sketch Plan. The fact that the proposed Comprehensive Sketch Plan is not in conformity with the Preliminary Development Plan shall be sufficient ground for disapproval or change. The Planning Board shall approve no Comprehensive Sketch Plan which varies the areas of uses below the minimum or above the maximum percentages for particular uses specified herein.

Per Section 125.J.8 of the Zoning Regulations, in addition to the established criteria used by the Planning Board in its evaluation and approval of any Comprehensive Sketch Plan, Final Development Plan and Site Development Plan, the Planning Board shall make findings on whether the Comprehensive Sketch Plan is in conformance with all the findings of and conclusions of the Zoning Board Decision and Order for the Major Village Center Redevelopment.

- **II.** Planning Board Criteria: In accordance with Section 125.C.5. of the Howard County Zoning Regulations, the Planning Board shall be guided by Section 125 of these Regulations and shall particularly consider:
 - A. The adequacy of the roads serving the proposed development and any proposed mitigation, in accordance with the Adequate Public Adequate Public Facilities Ordinance (Title 16, Subtitle 11 of the Howard County Code).

The proposed development will be served by Twin Rivers Road, Lynx Lane and Cross Fox Lane. No new public roads are proposed with this Comprehensive Sketch Plan. Lynx Lane is proposed to be privatized in order to accommodate a three story portion of the residential building to be constructed over the road, and to allow for proposed road pavers that are not permitted within County-owned rights-of-ways. The Department of Planning and Zoning, Development Engineering Division, and the Department of Public Works, Traffic Engineering Division have reviewed the APFO Traffic Study and found the road network to adequately serve the proposed development. The results of the Traffic Study indicate that no intersection improvements or road improvements are required as a result of this proposed development. The Village Center is designed to be pedestrian, bike and transit friendly, while continuing to accommodate the automobile.

B. The location and adequacy of public utility and community facilities, including recreational uses and school properties, in relation to the density and distribution of population.

As part of the approval for the amended Preliminary Development Plan for the Village Center Redevelopment (ZB 1096M), the Zoning Board approved a maximum of 250 apartment dwelling units, which are computed in the New Town PDP as a result of that decision. Therefore, on July 17, 2012, 250 tentative housing unit allocations were deemed to be available and were granted for Allocation Year 2014 with the initial submission of the Comprehensive Sketch Plan.

The site adjoins several existing Columbia Association Recreation Facilities; therefore no additional open space or community facilities are required. There will be a number of landscaped plazas and walkways that will create a unique amenity for the Village Center and will connect the retail area to residences and the outlying community facilities. The existing Village Courtyard will be expanded and outdoor café seating is proposed and encouraged.

Water, sewer, electric, telephone and natural gas utilities currently exist on site. The water and sewer lines will be upgraded and relocated as part of the proposed improvements for the redevelopment of the Village Center.

C. The location, extent and potential use of open space in the form of greenbelts, walkways, parkways, parkland, etc., as it affects the general amenity of the community.

As stated above, the proposed layout for the redevelopment of the Village Center utilizes landscaped walkways and courtyards as unique amenities that bisect the site and connect both internal uses and improves pedestrian access from the entire site to the surrounding Columbia Association facilities.

D. The impact of the proposed commercial and industrial uses on the residential uses within the NT District or adjacent thereto.

As the existing Village Center, the site has existing commercial uses, and there will be a slight net reduction of overall commercial square footage on the site. The proposal includes the addition of 250 residential apartment units on site, a use that is complementary to both the adjacent apartment uses and the on-site commercial use. The site is being redesigned to allow for pedestrian movement between on-site uses and adjacent off-site uses.

The petitioner will address the final loading locations and hours for commercial uses at Site Development Plan. Both DPZ and the Department of Health have recommended the petitioner take the residences into consideration when addressing the delivery time and garbage collection components for the commercial uses.

E. Per Section 125.J.5.8 of the Zoning Regulations, in addition to the established criteria used by the Planning Board in its evaluation and approval of the any Comprehensive Sketch Plan, Final Development Plan and Site Development Plan, the Planning Board shall make findings on whether the Comprehensive Sketch Plan is in conformance with all the findings of and conclusions of the Zoning Board Decision and Order for the Major Village Center Redevelopment.

The proposed Comprehensive Sketch Plan is in conformance with all the findings and conclusions of the Zoning Board Decision and Order for the Major Village Center Redevelopment (ZB 1096M). Please see the attached table. The site layout is essentially identical to what was proposed as part of the amended Preliminary Development Plan (ZB 1096M) and includes a maximum of 250 residential apartment dwelling units, and 90,000 square feet of commercial development (5,000 sf above the minimum of 85,000 sf approved as part of the approved PDP). The demolition of buildings, and the size and location of new buildings are identical between the PDP Concept Plan and this Comprehensive Sketch Plan (SP-13-001). The parking and landscape layout are also essentially identical.

Criteria proposed with SP-13-001 is generally consistent with criteria proposed as part of ZB 1096M, with the exception of some typographical errors or situational circumstances identified by DPZ during the CSP review. The building footprints and site layout from the have not been altered from ZB 1096M Concept Plan to SP-13-001. The modified criteria language is included in the CSP and will be approved with the amended FDP. Changes are identified as:

- Lot coverage for apartments was indicated as a maximum 0% in the PDP. This is a typographical error and should read there is no maximum lot coverage for apartments in the Village Center
- Since Lynx Lane will become private (it was a public road during PDP), the setback to a property line for the residential building will not to be adjusted to allow for the proposed portion of the residential building over Lynx Lane. Criteria language is changed to state the 5' setback does not apply to property lines internal to the development.
- FDP 2 and FDP 39 have criteria have a proposed 15' parking and aisle setback from the building. Aisles that do not directly access parking are not included in this interpretation, which alleviates concerns along the northern side of the west residential building.

SRC Action: The Subdivision Review Committee has recommended approval subject to the technical comments issued in the letter dated September 28, 2012 and additional comments issued on October 29, 2012.

Recommendation:

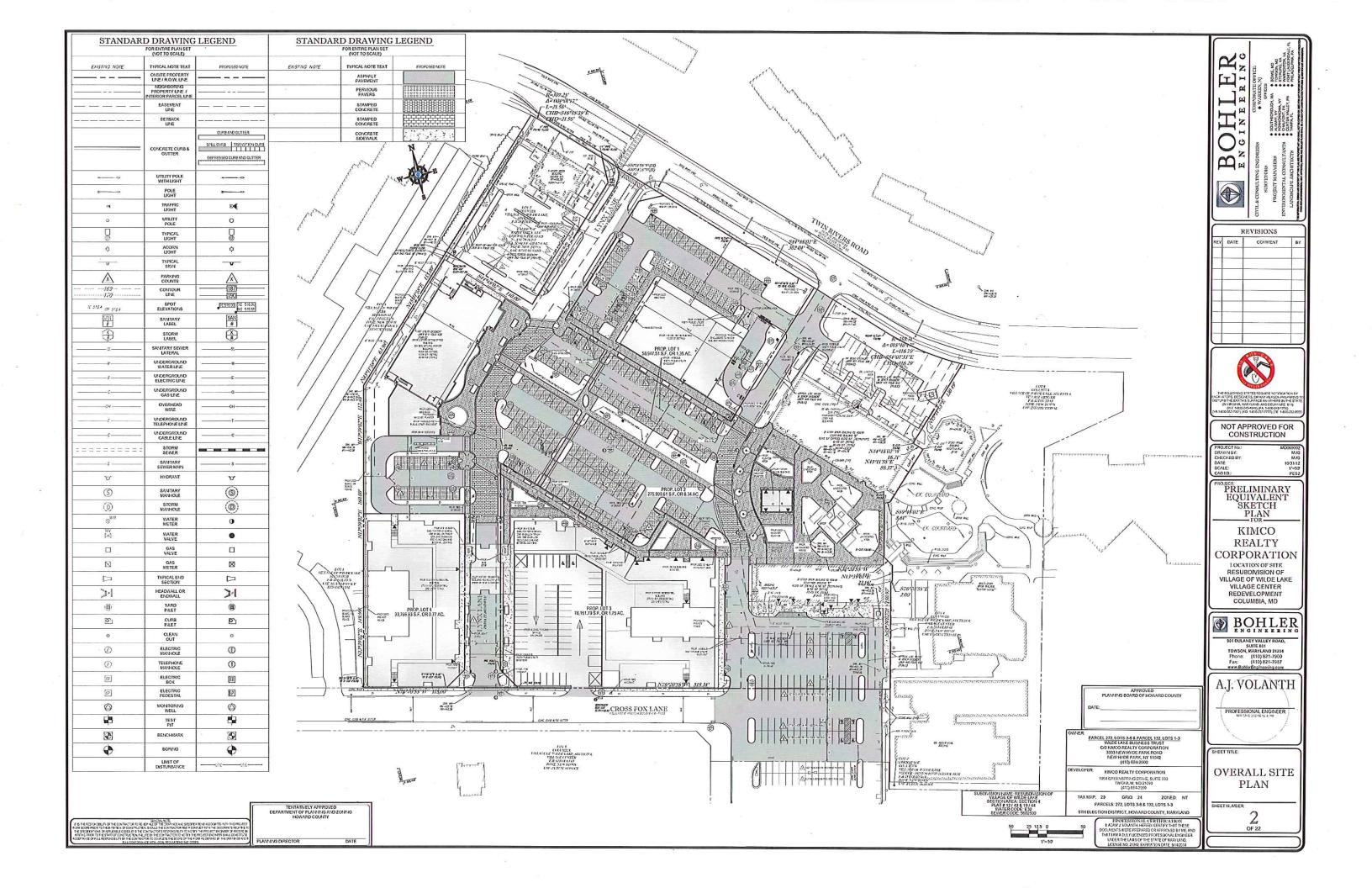
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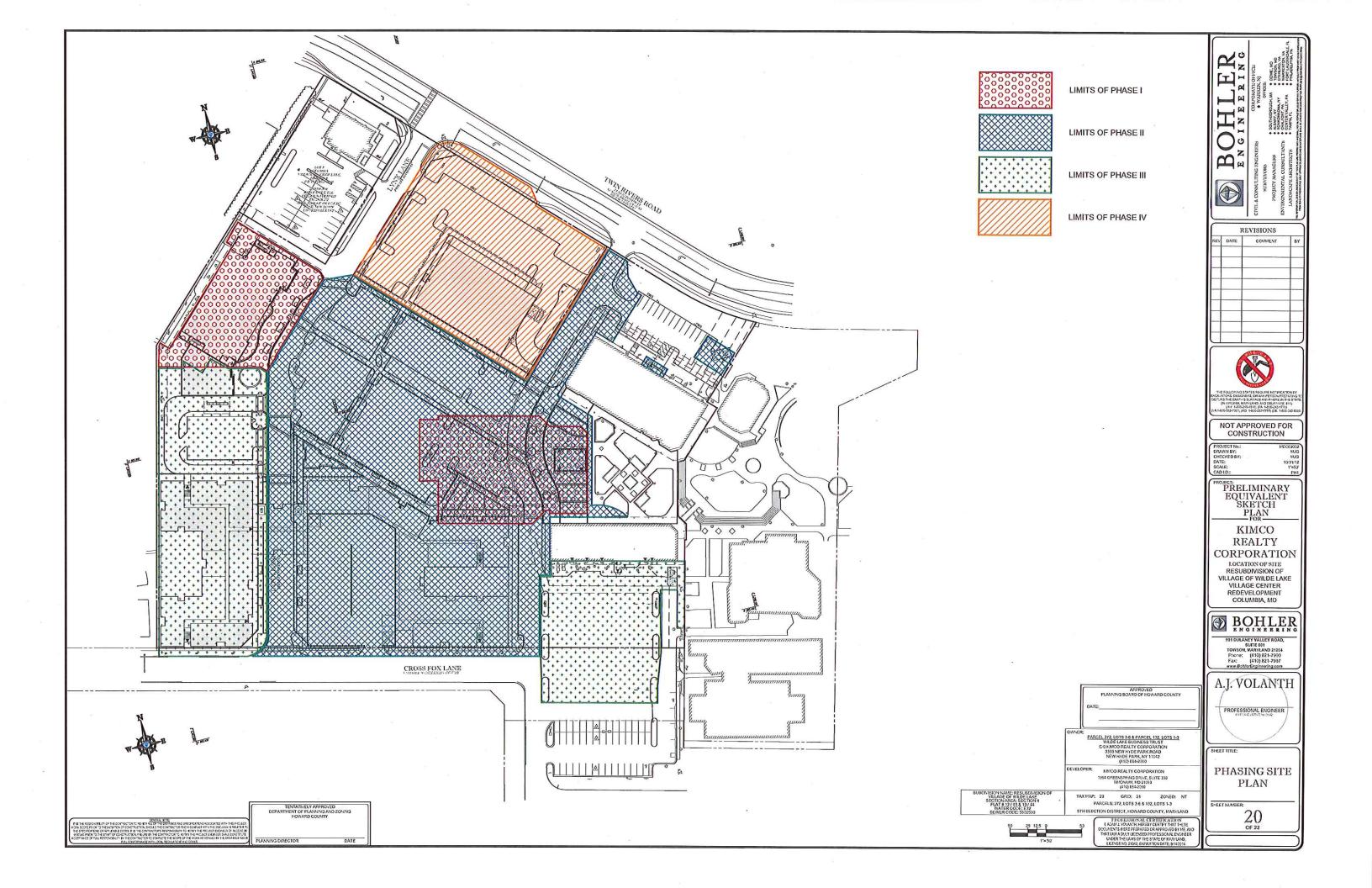
Marsha S. McLaughlin, Director Department of Planning and Zoning

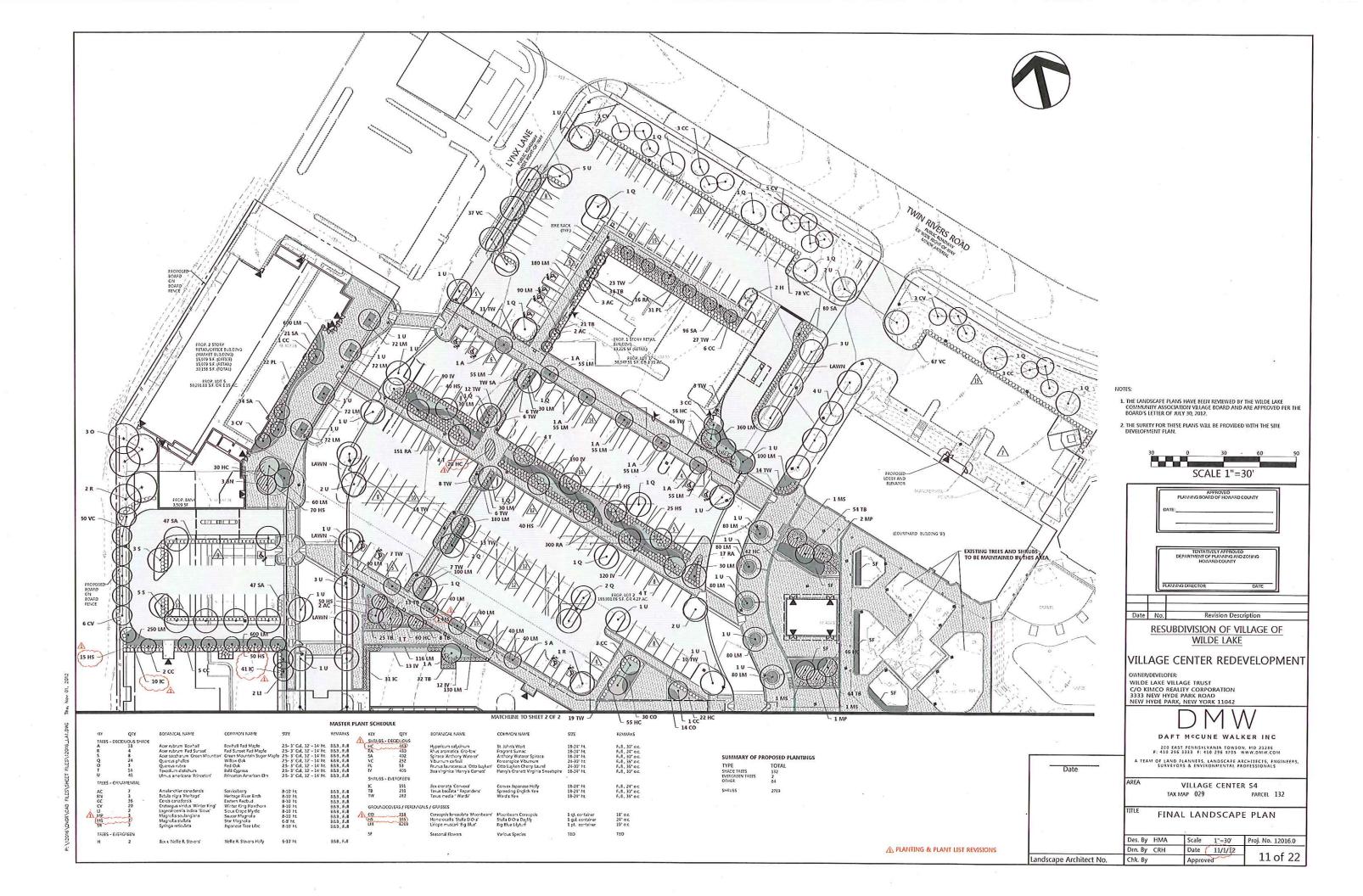
Staff Report prepared by: Jill Manion-Farrar

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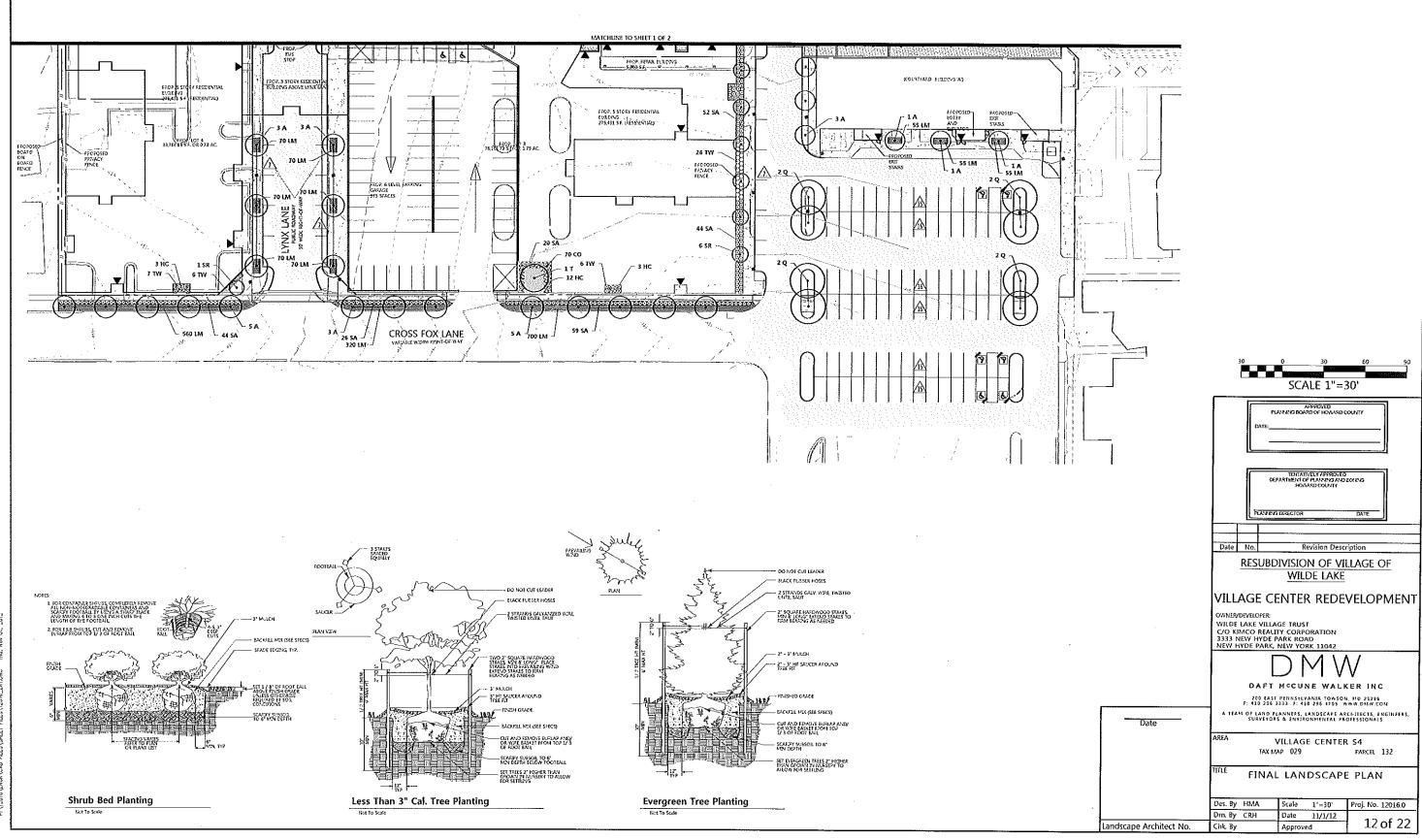
This file is available for public review at the DPZ Public Service Counter, Monday through Friday, 8:00-5:00pm











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